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09/870,207	05/30/2001	Tadashi Ezaki	SONYJP 3.0-174	7825

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EXAMINER

PERUNGAVOOR, VENKATANARAY

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 12/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/870,207

Applicant(s)

EZAKI ET AL.

Examiner

Venkatanarayanan Perungavoor

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05/30/01.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 5/3/01 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Oath/Declaration

1. The oath is objected to because it is deficient of the inventors signatures.

Appropriate Action is required.

Specifications

2. The abstract of the disclosure is objected to because on Line 13 the applicant has "309467_1.DOC" which has nothing to the application. Correction is required. See MPEP § 608.01(b). Appropriate Action is required.

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The examiner suggests, "An System and Method of Content Copy Control"

Claim Rejections – 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 1,7,13,19 recites the limitation "attribute information" in Line 16. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections – 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claim 1-37 rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6707774 B1 to Kuroda et al.
8. Regarding Claim 1, Kuroda et al. discloses a reader that reads in contents to be copied and identification information see Column 2 Line 47-61. Kuroda et al. also discloses an database information regarding whether copying is permissible for contents see Figure 1 & Figure 5 & Figure 8. Kuroda et al. further discloses an electronic watermark inspecting unit operable to inspect electronic watermarks inserted into said contents and
9. to produce inspection results see Column 11 Line 23-27. Kuroda et al. discloses controller that controls copying of content to the external equipment see Column

22 Line 15-21. Kuroda et al. further discloses an controller searches said database based on at least one of said identification information and other identity information of contents and in the event that a matching record exists, controls copying according to the content of said matching record and in the event that a matching record does not exists controls copying according to inspection results (see Figure 8 & Column 11 Line 23-39).

10. Regarding Claim 2, Kuroda et al. discloses having an MPEG¹ encoder that codes using MPEG2 that output to an switch that has the input from controller see Column 11 Line 9-22 & Figure 9.

11. Regarding Claim 3, Kuroda et al. discloses an secure channel for communication between controller and database see Column 9 Line 61-Column 10 Line 5.

12. Regarding Claim 4, Kuroda et al. discloses the information being divided into a plurality of sectors with each sector comes an header, error detection and data area of content see Column 11 Line 40-53.

13. Regarding Claim 5, Kuroda et al. teaches of scrambling of image that includes the attribute information see Column 12 Line 1-4.

¹ Definition of MPEG according to <http://isp.webopedia.com/>
MPEG-2 can compress a 2 hour video into a few gigabytes. While decompressing an MPEG-2 data stream requires only modest computing power, encoding video in MPEG-2 format requires significantly more processing power.

14. Regarding Claim 6, Kuroda et al. discloses data being in sectors each having an characteristic quantity and value related to the content see Column 11 Line 59-65.

15. Regarding Claim 7, Kuroda et al. discloses a reader that reads in contents to be copied and identification information see Column 2 Line 47-61. Kuroda et al. also discloses an database information regarding whether copying is permissible for contents see Figure 1 & Figure 5 & Figure 8. Kuroda et al. further discloses an electronic watermark inspecting unit operable to inspect electronic watermarks inserted into said contents and

16. to produce inspection results see Column 11 Line 23-27. Kuroda et al. discloses controller that controls copying of content to the external equipment see Column 22 Line 15-21. Kuroda et al. further discloses an controller searches said database based on at least one of said identification information and other identity information of contents and in the event that a matching record exists, controls copying according to the content of said matching record and in the event that a matching record does not exists controls copying according to inspection results (see Figure 8 & Column 11 Line 23-39).

17. Regarding Claim 8, Kuroda et al. discloses having an MPEG² encoder that codes using MPEG2 that output to an switch that has the input from controller see Column 11 Line 9-22 & Figure 9.
18. Regarding Claim 9, Kuroda et al. discloses an secure channel for communication between controller and database see Column 9 Line 61-Column 10 Line 5.
19. Regarding Claim 10, Kuroda et al. discloses the information being divided into a plurality of sectors with each sector comes an header, error detection and data area of content see Column 11 Line 40-53.
20. Regarding Claim 11, Kuroda et al. teaches of scrambling of image that includes the attribute information see Column 12 Line 1-4.
21. Regarding Claim 12, Kuroda et al. discloses data being in sectors each having an characteristic quantity and value related to the content see Column 11 Line 59-65.
22. Regarding Claim 13, Kuroda et al. discloses a reader that reads in contents to be copied and identification information see Column 2 Line 47-61. Kuroda et al. also

² Definition of MPEG according to <http://isp.webopedia.com/>
MPEG-2 can compress a 2 hour video into a few gigabytes. While decompressing an MPEG-2 data stream requires only modest computing power, encoding video in MPEG-2 format requires significantly more processing power.

discloses an database information regarding whether copying is permissible for contents see Figure 1 & Figure 5 & Figure 8. Kuroda et al. further discloses an electronic watermark inspecting unit operable to inspect electronic watermarks inserted into said contents and to produce inspection results see Column 11 Line 23-27. Kuroda et al. discloses controller that controls copying of content to the external equipment see Column 22 Line 15-21. Kuroda et al. further discloses an controller searches said database based on at least one of said identification information and other identity information of contents and in the event that a matching record exists, controls copying according to the content of said matching record and in the event that a matching record does not exists controls copying according to inspection results (see Figure 8 & Column 11 Line 23-39).

23. Regarding Claim 14, Kuroda et al. discloses having an MPEG³ encoder that codes using MPEG2 that output to an switch that has the input from controller see Column 11 Line 9-22 & Figure 9.

24. Regarding Claim 15, Kuroda et al. discloses an secure channel for communication between controller and database see Column 9 Line 61-Column 10 Line 5.

³ Definition of MPEG according to <http://isp.webopedia.com/>
MPEG-2 can compress a 2 hour video into a few gigabytes. While decompressing an MPEG-2 data stream requires only modest computing power, encoding video in MPEG-2 format requires significantly more processing power.

25. Regarding Claim 16, Kuroda et al. discloses the information being divided into a plurality of sectors with each sector comes an header, error detection and data area of content see Column 11 Line 40-53.

26. Regarding Claim 17, Kuroda et al. teaches of scrambling of image that includes the attribute information see Column 12 Line 1-4.

27. Regarding Claim 18, Kuroda et al. discloses data being in sectors each having an characteristic quantity and value related to the content see Column 11 Line 59-65.

28. Regarding Claim 19, Kuroda et al. discloses a reader that reads in contents to be copied and identification information see Column 2 Line 47-61. Kuroda et al. further discloses making an inquiry to an detector to detect the identification and other identity information about the contents. And further discloses that based on the results the copying restrictions take place see Column 13 Line 30-52.

29. Regarding Claim 20, Kuroda et al. discloses having an MPEG⁴ encoder that codes using MPEG2 that output to an switch that has the input from controller see Column 11 Line 9-22 & Figure 9.

⁴ Definition of MPEG according to <http://isp.webopedia.com/>
MPEG-2 can compress a 2 hour video into a few gigabytes. While decompressing an MPEG-2 data stream requires only modest computing power, encoding video in MPEG-2 format requires significantly more processing power.

30. Regarding Claim 21, Kuroda et al. discloses an secure channel for communication between controller and database see Column 9 Line 61-Column 10 Line 5.
31. Regarding Claim 22, Kuroda et al. discloses the information being divided into a plurality of sectors with each sector comes an header, error detection and data area of content see Column 11 Line 40-53.
32. Regarding Claim 23, Kuroda et al. teaches of scrambling of image that includes the attribute information see Column 12 Line 1-4.
33. Regarding Claim 24, Kuroda et al. discloses data being in sectors each having an characteristic quantity and value related to the content see Column 11 Line 59-65.
34. Regarding Claim 25, Kuroda et al. discloses a database identification can be searched based least information and attribute information see Figure 8 & Figure 1. Kuroda et al. further disclose an receiver that receives inquires regarding whether copy is permitted see Column 9 Line 50-56. Kuroda et al. also disclose searching the database to obtain search results see Column 10 Line 8-12.

Kuroda et al. further discloses a transmitter to transmit the search results see Column 10 Line 13-19.

35. Regarding Claim 26, Kuroda et al. discloses an secure channel for communication for the transmitter see Column 10 Line 19-25.

36. Regarding Claim 27, Kuroda et al. discloses the information being divided into a plurality of sectors with each sector comes an header, error detection and data area of content see Column 11 Line 40-53.

37. Regarding Claim 28, Kuroda et al. teaches of scrambling of image that includes the attribute information see Column 12 Line 1-4.

38. Regarding Claim 29, Kuroda et al. discloses data being in sectors each having an characteristic quantity and value related to the content see Column 11 Line 59-65.

39. Regarding Claim 30, Kuroda et al. discloses a reader that reads in contents to be copied and identification information see Column 2 Line 47-61. Kuroda et al. also discloses an database information regarding whether copying is permissible for contents see Figure 1 & Figure 5 & Figure 8. Kuroda et al. further discloses an electronic watermark inspecting unit operable to inspect electronic watermarks

inserted into said contents and to produce inspection results see Column 11 Line 23-27. Kuroda et al. discloses controller that controls copying of content to the external equipment see Column 22 Line 15-21. Kuroda et al. further discloses an controller searches said database based on at least one of said identification information and other identity information of contents and in the event that a matching record exists, controls copying according to the content of said matching record and in the event that a matching record does not exists controls copying according to inspection results (see Figure 8 & Column 11 Line 23-39).

40. Regarding Claim 31, Kuroda et al. discloses the information being divided into a plurality of sectors with each sector comes an header, error detection and data area of content see Column 11 Line 40-53.

41. Regarding Claim 32, Kuroda et al. teaches of scrambling of image that includes the attribute information see Column 12 Line 1-4.

42. Regarding Claim 33, Kuroda et al. discloses data being in sectors each having an characteristic quantity and value related to the content see Column 11 Line 59-65.

43. Regarding Claim 34, Kuroda et al. discloses a reader that reads in contents to be copied and identification information see Column 2 Line 47-61. Kuroda et al.

further discloses making an inquiry to an detector to detect the identification and other identity information about the contents. And further discloses that based on the results the copying restrictions take place see Column 13 Line 30-52.

44. Regarding Claim 35, Kuroda et al. discloses the information being divided into a plurality of sectors with each sector comes an header, error detection and data area of content see Column 11 Line 40-53.

45. Regarding Claim 36, Kuroda et al. teaches of scrambling of image that includes the attribute information see Column 12 Line 1-4.

46. Regarding Claim 37, Kuroda et al. discloses data being in sectors each having an characteristic quantity and value related to the content see Column 11 Line 59-65.

Claim Rejections – 35 USC § 103

47. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action: (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

48. Claim 38-41 rejected under 35 U.S.C. 103(a) as being unpatentable over Kuroda et al.(U.S. Patent No. 6707774 B1) in view of Miura et al(U.S. Patent 6687411 B1).

49. Regarding Claim 38, Kuroda et al. discloses a reader that reads in contents to be copied and identification information see Column 2 Line 47-61. Kuroda et al. also discloses an database information regarding whether copying is permissible for contents see Figure 1 & Figure 5 & Figure 8. Kuroda et al. further discloses an electronic watermark inspecting unit operable to inspect electronic watermarks inserted into said contents and to produce inspection results see Column 11 Line 23-27. Kuroda et al. discloses controller that controls copying of content to the external equipment see Column 22 Line 15-21. Kuroda et al. further discloses an controller searches said database based on at least one of said identification information and other identity information of contents and in the event that a matching record exists, controls copying according to the content of said matching record and in the event that a matching record does not exists controls copying according to inspection results (see Figure 8 & Column 11 Line 23-39). Kuroda et al. disclose quantization and compressing of content and see Column 11 Line 6-11⁵. Kuroda et al. fails to disclose an Huffman encoding scheme and also orthogonal conversion. Miura et al. discloses an Huffman encoding scheme and orthogonal conversion see Column 2 Line 54-64. It would be obvious to one

having ordinary skill in the art at the time of the invention to include Huffman encoding and orthogonal conversion to content in order to increase image quality see Column 2 Line 58-63.

50. Regarding Claim 39, Kuroda et al. discloses a reader that reads in contents to be copied and identification information see Column 2 Line 47-61. Kuroda et al. also discloses an database information regarding whether copying is permissible for contents see Figure 1 & Figure 5 & Figure 8. Kuroda et al. further discloses an electronic watermark inspecting unit operable to inspect electronic watermarks inserted into said contents and to produce inspection results see Column 11 Line 23-27. Kuroda et al. discloses controller that controls copying of content to the external equipment see Column 22 Line 15-21. Kuroda et al. further discloses an controller searches said database based on at least one of said identification information and other identity information of contents and in the event that a matching record exists, controls copying according to the content of said matching record and in the event that a matching record does not exists controls copying according to inspection results (see Figure 8 & Column 11 Line 23-39). Kuroda et al. disclose quantization and compressing of content and see Column 11 Line 6-11⁶. Kuroda et al. fails to disclose an Huffman encoding scheme and also orthogonal conversion. Miura et al. discloses an Huffman encoding scheme and orthogonal conversion see Column 2 Line 54-64. It would be obvious to one

⁵ See footnote 1-4 for MPEG2 definition.

having ordinary skill in the art at the time of the invention to include Huffman encoding and orthogonal conversion to content in order to increase image quality see Column 2 Line 58-63.

51. Regarding Claim 40, Kuroda et al. discloses a reader that reads in contents to be copied and identification information see Column 2 Line 47-61. Kuroda et al. further discloses an electronic watermark inspecting unit operable to inspect electronic watermarks inserted into said contents and to produce inspection results see Column 11 Line 23-27. Kuroda et al. discloses controller that controls copying of content to the external equipment see Column 22 Line 15-21. Kuroda et al. discloses an encoding unit that encodes and compress see Column Line 6-11⁷. Kuroda et al. further discloses making an inquiry to a detector to detect the identification and other identity information about the contents. And further discloses that based on the results the copying restrictions take place see Column 13 Line 30-52. Kuroda et al. fails to disclose an Huffman encoding scheme and also orthogonal conversion. Miura et al. discloses an Huffman encoding scheme and orthogonal conversion⁸ see Column 2 Line 54-64 & Column 1 Line 24-36. It would be obvious to one having ordinary skill in the art at the time of the invention to include Huffman encoding and orthogonal conversion to content in order to increase image quality see Column 2 Line 58-63 & Column 1 Line 30-36.

⁶ See footnote 1-4 for MPEG2 definition.

52. Regarding Claim 41, Kuroda et al. discloses a reader that reads in contents to be copied and identification information see Column 2 Line 47-61. Kuroda et al. further discloses an electronic watermark inspecting unit operable to inspect electronic watermarks inserted into said contents and to produce inspection results see Column 11 Line 23-27. Kuroda et al. discloses controller that controls copying of content to the external equipment see Column 22 Line 15-21. Kuroda et al. discloses an encoding unit that encodes and compress see Column Line 6-11⁹. Kuroda et al. further discloses making an inquiry to a detector to detect the identification and other identity information about the contents. And further discloses that based on the results the copying restrictions take place see Column 13 Line 30-52. Kuroda et al. fails to disclose an Huffman encoding scheme and also orthogonal conversion. Miura et al. discloses an Huffman encoding scheme and orthogonal conversion¹⁰ see Column 2 Line 54-64 & Column 1 Line 24-36. It would be obvious to one having ordinary skill in the art at the time of the invention to include Huffman encoding and orthogonal conversion to content in order to increase image quality see Column 2 Line 58-63 & Column 1 Line 30-36.

⁷ See footnote 1-4 for MPEG2 definition.

⁸ Discrete Cosine Transform is included in Orthogonal Conversion

⁹ See footnote 1-4 for MPEG2 definition.

¹⁰ Discrete Cosine Transform is included in Orthogonal Conversion

Conclusion

53. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

54. The following patents are cited to further show the state of art in general

U.S. Patent No. 6320829 B1 to Matsumoto et al.

U.S. Patent No. 6571220 B1 to Ogino et al.

U.S. Patent No. 6633723 B1 to Kuroda et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkatanarayanan Perungavoor whose telephone number is 571-272-7213. The examiner can normally be reached on 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2132

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Venkatanarayanan Perungavoor
Examiner
Art Unit 2132

VP
Venkatanarayanan Perungavoor



THOMAS R. PEESO
PRIMARY EXAMINER